

## REMARKS

The examiner objected to the claim terminology in claim 7. Applicants respectfully submit that the claim as amended addresses the examiner's concern.

The examiner rejected claims 1-15 under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants respectfully submit that the claims as amended address the examiner's concern.


The examiner rejected claims 1,2,4-8 and 12-15 under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,969,518 (Merklein et al.). The examiner rejected claims 1, 3, 10 and 11 under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,898,388 (Hofmann et al.). The examiner rejected claim 9 under 35 U.S.C. §103 as being obvious in view of either Merklein et al. or Hofmann et al. in combination with U.S. Patent No. 6,575,637 (Tajima et al.). Applicants respectfully traverse the rejections.

Independent claim 1 recites, *inter alia*, a stationary armature defining an interior region and an exterior region and a sensor mounted in the exterior region spaced from and disassociated with the stationary armature. As explained in the first full paragraph on page 5 of the original specification, FR-A-2 755 193 (which corresponds to Merklein et al. '518), teaches that it is advantageous to mount the sensor and protective wall in contact with one another. However, the present inventors have found that such contact is disadvantageous, as the dimensional variations due to the thermal expansions or associated with in-service vibrations can lead to an alteration of this protective wall/sensor contact. Merklein et al. teaches away from the present invention wherein the sensor is spaced from and disassociated with the stationary armature. Hofmann et al. teaches mounting the sensor 7 directly within a telemetry unit 6 that is "integrated in the disk 5." See Hofmann at col. 2, lns. 41-45. Tajima et al. is cited only as teaching "a filler of barium ferrite in order to obtain a magnetizeable material" and does not overcome the shortcomings of Merklein et al. and Hofmann et al.

None of the cited references, alone or in any reasonable combination, teaches or suggests the claimed invention. It is respectfully submitted that pending claims 1-15 are in condition for allowance. Early reconsideration and allowance of the pending claims are respectfully requested.

If the examiner believes an interview, either personal or telephonic, will advance the prosecution of this matter, it is respectfully requested that the examiner get in contact with the undersigned to arrange the same.

Respectfully submitted,



Glenn M. Massina  
Reg. No. 40,081

Docket No.: 085488-9100 (4748-TC-SB)  
Michael Best & Friedrich LLP  
3773 Corporate Parkway Suite 360  
Center Valley, Pennsylvania 18034

610-798-2170